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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

KAY, MARY ANNE

ART UNIT

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2426

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/581,845	Applicant(s) WANG ET AL.	
	Examiner MARY ANNE KAY	Art Unit 2426	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2008 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-15 are pending in this application.

“Medium” Interpretation

2. From the specification, the Examiner has determined that the Applicant in accordance with statutory requirements, does not define “medium”. The Examiner interprets the term “medium” to be a computer readable medium (hardware disk) that stores computer instructions.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “120” has been used to designate both “Valid FF Zone” and “Dead Zone” on Fig. 19 . Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be

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notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jun et al. (U.S. PGPub 2003/0122861 A1, referred to as **Jun**) in view of Liu et al. (U.S. PGPub 2005/0213656 A1, referred to as **Liu**).

Claim 1

Jun teaches:

(a) a media server for transmitting the selected video signal,
said media server generating a first series of searchable index frames
during transmission of the selected video signal (**Jun** Abstract),
said media server storing said first series thereon (**Jun** ¶ 0027;
said media server and said client player being operatively connected by a
communication network (**Jun** ¶ 0009).

Jun fails to teach:

(b) a client player for receiving and displaying the selected video signal,
said client player generating and storing a second series of searchable
index frames thereon;
said client player generating and storing a second series of searchable
index frames thereon;
said client player accessing said first series or said second series and
obtaining a required searchable index frame therefrom upon receipt
of a request by the user to modify the play parameters;
said required searchable index frame providing a new starting point for
display of the selected video signal.

Liu teaches:

(b) a client player for receiving and displaying the selected video signal,
said client player generating and storing a second series of searchable
index frames thereon (**Liu ¶¶** 0050-0055, 0076; Examiner's Note:
data saved as a database)
said client player accessing said first series or said second series and
obtaining a required searchable index frame therefrom upon receipt
of a request by the user to modify the play parameters (**Liu ¶** 0085),
said required searchable index frame providing a new starting point for
display of the selected video signal (**Liu ¶** 0085).

Rationale:

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the client generated searchable index frame as taught by **Liu** providing video indexing and summarization techniques that are user-tunable.

Claim Rejections - 35 USC § 103

6. Claims 2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jun** in view of Ellis et al. (U.S. PGPub 2004/0117831 A1, referred to as **Ellis**).

Claim 2

Jun fails to teach:

a video database operatively coupled to said media server, said video database comprising a plurality of videos selectable by the user.

Ellis teaches:

a video database operatively coupled to said media server, said video database comprising a plurality of videos selectable by the user (**Ellis** ¶ 0133; EN: may be maintained on a server at the television distribution facility or at database).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the video database as taught by **Ellis** providing a searchable database in the EPG of all of the features of each of the movies in the movie database.

Claim 4

Jun fails to teach:

a feature database operatively coupled to said media server;
said feature database comprising a plurality of extracted features;
wherein one or more of the plurality of extracted features are associated with one
of the videos in the video database.

Ellis teaches:

a feature database operatively coupled to said media server (**Ellis** ¶¶ 0141-0142;
EN: Data displayed in the feature screens obtained from a server and a
features database),
said feature database comprising a plurality of extracted features (**Ellis** Fig. 15,
el. 230, Fig. 16, el. 240; ¶¶ 0141-0142),
wherein one or more of the plurality of extracted features are associated with one
of the videos in the video database (**Ellis** ¶ 0141).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the
invention was made to modify the teachings of **Jun** with the video features in a
database as taught by **Ellis** providing a searchable database in the EPG of all of
the features of each of the movies in the movie database.

Claim 5

Jun fails to teach:

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wherein said plurality of extracted features provide a means for said user to search and identify a video for subsequent display based on a desired criteria represented by one or more of the plurality of extracted features.

Ellis teaches:

wherein said plurality of extracted features provide a means for said user to search and identify a video for subsequent display based on a desired criteria represented by one or more of the plurality of extracted features (**Ellis** ¶ 0135).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the searching as taught by **Ellis** providing a searchable database in the EPG of all of the features of each of the movies in the movie database.

Claim 6

Jun fails to teach:

wherein one or more of the plurality of extracted features is either a word identifier or an image identifier.

Ellis teaches:

wherein one or more of the plurality of extracted features is either a word identifier or an image identifier (**Ellis** ¶ 0142).

Rationale:

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the word and image identifier as taught by **Ellis** providing a searchable database in the EPG of all of the features of each of the movies in the movie database.

Claim 7

Jun fails to teach:

wherein one or more of the plurality of extracted features is a movie clip representative of one of the videos in the video database.

Ellis teaches:

wherein one or more of the plurality of extracted features is a movie clip representative of one of the videos in the video database (**Ellis** ¶¶ 0141-0142).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the movie clip as taught by **Ellis** providing a searchable database in the EPG of all of the features of each of the movies in the movie database.

Claim Rejections - 35 USC § 103

7. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jun** in view of Guedalia et al. (U.S. Patent 6,721,952, referred to as **Guedalia**).

Claim 3

Jun fails to teach:

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wherein said videos in the video database are in an encoded format

Guedalia teaches:

wherein said videos in the video database are in an encoded format (**Guedalia**

Fig. 4; C19:39-50; EN: Although the process of encoding is described here, each video is subjected to this production tool and encoded).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the video database as taught by **Guedalia** providing movies ready for distribution and conversion for streaming.

Claim 8

Jun fails to teach:

a video production module for encoding each of said videos into an encoded format.

Guedalia teaches:

a video production module for encoding each of said videos into an encoded format (**Guedalia** Fig. 4; C19:39-50).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the encoder as taught by **Guedalia** providing a production tool which enables a content provider to take a raw movie and encode it to ready it for distribution and conversion for streaming.

Claim Rejections - 35 USC § 103

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Jun** in view of **Ellis**.

Claim 9

Jun fails to teach:

wherein said video production module further generates said extracted features.

Ellis teaches:

wherein said video production module further generates said extracted features
(**Ellis** ¶¶ 0141-0142).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the extracted features as taught by **Ellis** providing a searchable database in the EPG of all of the features of each of the movies in the movie database.

Claim Rejections - 35 USC § 103

9. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jun** in view of **Liu** in further view of Watt (U.S. PGPub 2004/0221323 A1, referred to as **Watt**).

Claim 10

Jun fails to teach:

a user account management module for providing a means for controlling user
access.

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Watt teaches:

a user account management module for providing a means for controlling user access (**Watt** ¶ 0148).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the user authentication as taught by **Watt** providing identification of the person at the workstation as a legal user and proper participant in the system.

Claim 11

Jun teaches:

- (a) establishing a connection between a media server and a client player (**Jun** ¶ 0009);
- (b) receiving by said media player, a request for the selected video signal from said client player (**Jun** ¶ 0058);
- (c) transmitting by said media player, said selected video signal to the client player (**Jun** ¶ 0058);
- (d) generating and storing a first series of searchable index frames by the media player while transmitting (**Jun** Abstract);
- (i) displaying said selected video signal from said new starting point (**Jun** ¶¶ 0020-0027);

Jun fails to teach:

- (e) receiving and displaying said selected video signal by the client player;

- (f) generating and storing a second series of searchable index frames by the client player while receiving and displaying;
- (g) receiving by the client player, a request to modify play parameters of the selected video signal from the user;
- (h) searching said first series or second series for a required searchable index frame, said required searchable index frame providing a new starting point for displaying said selected video signal;
- (j) terminating said connection between a media server and a client player upon completion of display of the selected video signal.

Liu teaches:

- (e) receiving and displaying said selected video signal by the client player (**Liu ¶ 0085**);
- (f) generating and storing a second series of searchable index frames by the client player while receiving and displaying (**Liu ¶¶ 0050-0055, 0076; EN: data saved as a database**);
- (g) receiving by the client player, a request to modify play parameters of the selected video signal from the user (**Liu ¶ 0085**);
- (h) searching said first series or second series for a required searchable index frame, said required searchable index frame providing a new starting point for displaying said selected video signal (**Liu ¶ 0085**).

Rationale:

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the client generated searchable index frame as taught by **Liu** providing video indexing and summarization techniques that are user-tunable.

Jun in view of **Liu** fails to teach:

(j) terminating said connection between a media server and a client player upon completion of display of the selected video signal.

Watt teaches:

(j) terminating said connection between a media server and a client player upon completion of display of the selected video signal (**Watt** ¶ 0206).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** in view of **Liu** with the termination as taught by **Watt** providing a closure to the entrance into the network by unauthorized users attempting to use the client player's previous connection authorization.

Claim Rejections - 35 USC § 103

10. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Jun** in view of **Ellis**.

Claim 12

Jun fails to teach:

- (aa) searching a feature database by a user, said feature database comprising a plurality of extracted features, wherein one or more of the plurality of extracted features are associated with one of a plurality of videos in a video database;
- (bb) selecting by the user a desired video from the video database based on one or more of the plurality of extracted features;
- (cc) transmitting the request for the selected video signal from the client player.

Ellis teaches:

- (aa) searching a feature database by a user, said feature database comprising a plurality of extracted features, wherein one or more of the plurality of extracted features are associated with one of a plurality of videos in a video database (**Ellis** ¶¶ 0133, 0135; EN: may be maintained on a server at the television distribution facility or at database);
- (bb) selecting by the user a desired video from the video database based on one or more of the plurality of extracted features (**Ellis** ¶ 0135);
- (cc) transmitting the request for the selected video signal from the client player (**Ellis** ¶ 0101).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the feature database and request as taught by **Ellis** providing a searchable database in the EPG of all of the features of each of the movies in the movie database.

Claim Rejections - 35 USC § 103

11. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Jun** in view of **Watt**.

Claim 13

Jun fails to teach:

wherein prior to step a) performing the step of authenticating the user.

Watt teaches:

wherein prior to step a) performing the step of authenticating the user (**Watt ¶**
0148).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the user authentication as taught by **Watt** providing identification of the person at the workstation as a legal user and proper participant in the system.

Claim Rejections - 35 USC § 103

12. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Jun** in view of **Ellis** in further view of **Guedalia**.

Claim 14

Jun fails to teach:

- (a) encoding a plurality of videos for subsequent transmission;
- (b) saving said encoded videos in the video database;
- (c) identifying one or more extracted features for each of the plurality of videos;

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- (d) saving said extracted features in a searchable configuration in the features database;

Ellis teaches:

- (c) identifying one or more extracted features for each of the plurality of videos (**Ellis** ¶¶ 0141-0142);
- (d) saving said extracted features in a searchable configuration in the features database (**Ellis** ¶¶ 0135, 0141-0142).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the features database as taught by **Ellis** providing a searchable database in the EPG of all of the features of each of the movies in the movie database.

Jun fails to teach:

- (a) encoding a plurality of videos for subsequent transmission;
- (b) saving said encoded videos in the video database.

Guedalia teaches:

- (a) encoding a plurality of videos for subsequent transmission (**Guedalia** Fig. 4; C19:39-50; EN: Although the process of encoding is described here, each video is subjected to this production tool and encoded);
- (b) saving said encoded videos in the video database (**Guedalia** Fig. 4; C19:39-50).

Rationale:

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the encoding as taught by **Guedalia** providing a production tool which enables a content provider to take a raw movie and encode it to ready it for distribution and conversion for streaming.

Claim Rejections - 35 USC § 103

13. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Jun** in view of Sherr et al. (U.S. PGPub 2002/0032905 A1, referred to as **Sherr**).

Claim 15

Jun fails to teach:

wherein the media server is connected to a plurality of client players.

Sherr teaches:

wherein the media server is connected to a plurality of client players (**Sherr ¶ 0029**).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Jun** with the plurality of client players as taught by **Sherr** providing benefits including bringing vast amounts of content within reach of a large audience, significantly lower costs for physical production, storage and transportation, possible multiple simultaneous access, savings in energy and physical media, e.g., paper, and indirectly lower environmental pollution.

Examination Considerations

14. The claims and only the claims form the metes and bounds of the invention.

“Office personnel are to give the claims their broadest reasonable interpretation in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim should not be read into the claim. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969) (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4).

The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

15. Examiner's Notes are provided with the cited references to prior art to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and spirit of compact prosecution. However, and unless otherwise stated, the Examiner's Notes are not prior art but a link to prior art that one of ordinary skill in the art would find inherently appropriate.

16. Unless otherwise annotated, Examiner's statements are to be interpreted in reference to that of one of ordinary skill in the art. Statements made in reference to the

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condition of the disclosure constitute, on the face of it, the basis and such would be obvious to one of ordinary skill in the art, establishing thereby an inherent prima facie statement.

17. Examiner's Opinion: ¶¶ 14.-16. apply. The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

Conclusion

18. The prior art of record and not relied upon is considered pertinent to Applicant's disclosure.

- Nagasaka et al., U.S. PGPub 2002/0012518 A1 I
- Zee, U.S. PGPub 2003/0065642 A1 I
- Novak et al., U.S. PGPub 2003/0126599 A1 I
- McCalla et al., U.S. PGPub 2004/0025190 A1 I
- Igawa et al., U.S. PGPub 2004/0086262 A1 I
- Pedlow JR et al., U.S. PGPub 2005/0097614 A1 I
- Yang et al., U.S. PGPub 2005/0231588 A1 I
- Bruck et al., U.S. PGPub 2006/0085824 A1 I
- Astle, U.S. Patent 5,485,611 A I
- Jagels, U.S. Patent 7,296,074 B2 I
- Ohyama, U.S. PGPub 2002/0133826
- Goode et al., U.S. Patent 6,163,272

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- Imajima et al., U.S. Patent 6,211,901

19. Claims 1-15 are rejected.

Correspondence Information

20. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to MARY ANNE KAY whose telephone number is (571)270-5677. The Examiner can normally be reached on Monday - Friday, 8:00 AM - 5:00 PM, EST.

As detailed in MPEP 502.03, communications via Internet e-mail are at the discretion of the Applicant. Without a written authorization by Applicant recorded in the Applicant's file, the USPTO will not respond via e-mail to any Internet correspondence which contains information subject to the confidentiality requirement as set forth in 35 U.S.C. 122. A paper copy of such correspondence will be placed in the appropriate patent application. The following is an example authorization which may be used by the Applicant:

Notwithstanding the lack of security with Internet Communications, I hereby authorize the USPTO to communicate with me concerning any subject matter related to the instant application by e-mail. I understand that a copy of such communications related to formal submissions will be made of record in the applications file.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Joseph Hirl can be reached on (571)272-3685. Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,

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Alexandria, Virginia 22313,

(located on the first floor of the south side of the Randolph Building);

or faxed to:

(571)273-8300 (for formal communications intended for entry).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Anne Kay
Examiner

/Joseph P. Hirl/
Supervisory Patent Examiner, Art Unit 2426
September 8, 2009